

Decision No. 36653

BEFORE THE RAILROAD COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of )  
COAST LINE STAGES, INC., a corporation, )  
for a certificate of public convenience )  
and necessity to operate an automotive )  
stage service for transportation of )  
passengers, baggage and express between )  
Valley Ford Junction and Two Rock Junc- )  
tion. )

Application No. 25805

**ORIGINAL**

BY THE COMMISSION:

O P I N I O N

Coast Line Stages, Inc. now provides a service for the transportation of passengers, baggage and shipments of express not exceeding 100 pounds in weight, between Rockport and Petaluma and intermediate points, via Jenner, Valley Ford and Two Rock, under a certificate granted by Decision No. 34300. Coast Line requests an extension of this certificate which will authorize a passenger stage service between Valley Ford Junction and Two Rock Junction and intermediate points, via Fallon, Tomales and Two Rock Military Camp. The distance over the proposed additional route is about 12 miles.

As justification for the authority sought applicant alleges as follows:

Applicant has received a specific and urgent request from the military authorities for establishment of a passenger stage service between Petaluma and Two Rock Ranch where the U. S. Army has recently established a large military camp.

Applicant has recently received numerous requests for a passenger stage service to and from Tomales, which is not now presently served by any passenger stage line.

On the routes above and below Tomales, and due west of Tomales at Dillon's Beach are other military encampments of various sizes, and establishment of service to Tomales would be of great convenience to the military personnel at these installations mentioned.

Applicant proposes to provide 6 daily round trips between Petaluma and Tomales via the Two Rock Ranch Camp. The distance between Petaluma, the Two Rock Ranch Camp and Tomales is 9 and 15 miles, respectively, and the proposed fares between Petaluma and these points are 25 cents and 45 cents, respectively. Express traffic would be transported according to the rules and regulations governing such traffic as presently designated and shown in applicant's Local Express Tariff No. 2, C.R.C. No. 2 and such tariff would be amended to show the additional mileages authorized.

Applicant states that it has leased from the War Department a 29-passenger Chevrolet stage to be used in providing the additional proposed service.

No other common carrier of passengers serves the territory involved. In our judgment the authority sought is in the public interest and should be granted. No public hearing is necessary.

Coast Line Stages, Inc. is placed upon notice that "operative rights" as such do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the State as the consideration for the grant of such rights. Aside from their purely permissive aspect, they extend to the holder a full or partial monopoly of a class of business over a particular route. This monopoly feature may be changed or destroyed at any time by the State which is not in any respect limited to the number of rights which may be given.

O R D E R

An application therefor having been filed and it being hereby found that public convenience and necessity so require,

IT IS ORDERED that a certificate of public convenience and necessity is hereby granted to Coast Line Stages, Inc. authorizing the establishment and operation of service as a passenger stage corporation, as defined in Section 2 $\frac{1}{2}$  of the Public Utilities Act, for the transportation of passengers, baggage and shipments of express not weighing in excess of 100 pounds each on passenger carrying vehicles, between Valley Ford Junction and Two Rock Junction and intermediate points, via Fallon, Tonales and Two Rock Ranch Military Camp, as an extension and enlargement of the operative right heretofore created by the Commission's Decision No. 34300 rendered June 10, 1941, in Application No. 23698, subject to the following condition:

The authority herein granted is subject to the provisions of Section 52(b) of the Public Utilities Act and further to the condition that Coast Line Stages, Inc., its successors or assigns, shall never claim before this Commission or any court or other public body, a value for said operative right or claim as the cost thereof, an amount in excess of that paid to the State as the consideration for such right.

IT IS FURTHER ORDERED that in providing service pursuant to the certificate herein granted the following service regulations shall be observed:

1. Applicant shall file a written acceptance of the certificate herein granted within a period of not to exceed thirty (30) days from the effective date hereof.
2. Applicant shall comply with the provisions of General Orders Nos. 79 and 80 and Part IV of General Order No. 93-A, by filing, in triplicate, and concurrently making effective, tariffs and

time tables satisfactory to the Commission within sixty (60) days from the effective date hereof and on not less than one (1) day's notice to the Commission and the public.

- 3. Subject to the authority of this Commission to change or modify them at any time by further order applicant shall conduct said passenger stage operations over and along the following routes:

Over the county road between Valley Ford Junction and Two Rock Junction, via Fallon and Tomales.

The effective date of this order shall be the date hereof.

Dated at San Francisco, California, this 19<sup>th</sup> day of October, 1943.

Francis D. Havens  
John D. Hall  
Justice F. Casper  
Richard H. Baker  
James M. Clary  
 COMMISSIONERS